

PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/003,094
	Filing Date	November 2, 2001
	First Named Inventor	Joern Ostermann et al.
	Art Unit	2655
	Examiner Name	Minerva Rivero
Total Number of Pages in This Submission	Attorney Docket Number	2000-0600

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 2 non-patent references
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Richard C. Irving, Reg. No. 38499
Signature	<i>Richard C. Irving</i>
Date	December 29, 2004

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
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Signature	<i>Valerie A. Pickerson</i>	Date Dec 29, 04

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Joern Ostermann et al.

Serial No.: **10/003,094**

Filed: **November 2, 2001**

**FOR: SYSTEM AND METHOD FOR
SENDING MULTI-MEDIA MESSAGES
WITH CUSTOMIZED AUDIO**

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:
: Confirmation No.: **5333**
:
: Attorney Ref.: **2000-0600**
:
: Art Unit: **2655**
:
: Examiner: **Minerva Rivero**
:
:

INFORMATION DISCLOSURE STATEMENT

**MAIL STOP: Amendment
The Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Pursuant to 37 C.F.R. §1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08A. Unless otherwise indicated herein, one copy of each reference that is not a US Patent reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom. In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56(b).

- ☐ 1. This information disclosure statement is being filed within three months of the filing date of a national application other than a continued prosecution application under §1.53(d); within three months of the date of the entry of the national stage as set forth in §1.491 in an international application; before the mailing of a first Office action on the merits; or before the mailing of a first Office action after the filing of a request for continued examination under §1.114. No certification or fee is required. (37 C.F.R. §1.97(b)). If a first office action was mailed before the filing of this IDS, please debit deposit account 502960 the necessary fees set forth in 37 C.F.R. §1.17(p) to proceed to consider the cited references.
- ☒ 2. This information disclosure statement is being filed more than three months after the filing date of a national application other than a continued prosecution application under §1.53(d); more than three months after the date of the entry of the national stage as set forth in §1.491 in an international application; after the mailing date of a first Office action on the merits, or after the mailing of a first Office action after the filing of a request for continued examination under §1.114, but before the mailing date of any of a Final action under §1.113, a Notice of Allowance under §1.311 or an action that otherwise closes prosecution in the application. (37 C.F.R. §1.97(c)).

- ☐ a. I hereby certify that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement. (37 C.F.R. §1.97 (e)(1)).
- ☒ b. I hereby certify that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to my knowledge after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this information disclosure statement. (37 C.F.R. §1.97 (e)(2)).
- ☐ c. Attached is a credit card payment form and Fee Transmittal for payment of \$180 to cover the fee under 37 C.F.R. §1.17(p) and to ensure consideration of the disclosed information. If necessary, please debit Deposit Account No. 502960 any additional amount in order to ensure consideration of this IDS.
- ☐ 3. This information disclosure statement is being filed after the mailing date of any of a Final action under §1.113, a Notice of Allowance under §1.311, or an action which otherwise closes prosecution, whichever occurs first, but on or before payment of the Issue Fee. (37 C.F.R. §1.97(d)).
- ☐ a. I hereby certify that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement. (37 C.F.R. §1.97(e)(1)).
- ☐ b. I hereby certify that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this information disclosure statement. (37 C.F.R. §1.97(e)(2)).
- ☐ c. Please debit Deposit Account No. _____ in the amount of _____ to cover the fee under 37 C.F.R. §1.17(p) and ensure consideration of the disclosed information.

Dec. 29, 2004

Correspondence Address:

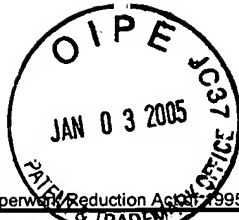
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Respectfully submitted,

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/003,094
Filing Date	November 2, 2001
First Named Inventor	Joern Ostermann
Art Unit	2655
Examiner Name	Minerva Rivero
Attorney Docket Number	2000-0600

Sheet 1 of 2

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 5,881,731	03-1999	Liles et al.	
		US- 6,064,383	05-2000	Skelly, Timothy C.	
		US- 5,647,834	07-1997	Ron, Samuel	
		US- 6,545,682	04-2003	Ventrella et al.	
		US- 6,692,359	02-2004	Williams et al.	
		US- 5,781,186	07-1998	Jennings, Terry Don	
		US- 5,860,064	01-1999	Henton, Caorline G.	
		US- 6,405,225	06-2002	Apfel et al.	
		US- 5,555,426	09-1996	Johnson et al.	
		US- 6,232,966	05-2001	Kurlander, David J.	
		US- 5,732,232	03-1998	Brush et al.	
		US- 50,681 A1	12-2001	Keys et al.	
		US- 6,542,936	04-2003	Mayle et al.	
		US- 109,680 A1	08-2002	Orbanes et al.	
		US- 50,689 A1	12-2001	Park	
		US- 91,154 A1	05-04	Cote	
		US- 6,230,111	05-2001	Mizokawa, Takahashi	
		US- 5,420,801	05-1995	Dockter et al.	
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known	
		Application Number	10/003,094
		Filing Date	November 2, 2001
		First Named Inventor	Joern Ostermann
		Art Unit	2655
		Examiner Name	Minerva Rivero
Sheet 2	of 2	Attorney Docket Number	2000-0600

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		W. Keith Edwards, "The Design and Implementation of the MONTAGE Multimedia Mail System", April 1991, IEEE Conference Proceedings of TRICOMM '91, Pages 47-57	
		Ming Ouhyoung et al "Web-enabled Speech Driven Facial Animation", Proc. of ICAT'99 (Int'l Conference on Artificial Reality and Tele-existence), pp 23-28, Dec.'99, Tokyo, Japan	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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